

Stephen B. Ravin, Esq.
Saul Ewing Arnstein & Lehr LLP
1270 Avenue of the Americas
Suite 2005
New York, NY 10020
Telephone: (973) 286-6714
stephen.ravin@saul.com

-and-

A. Mayer Kohn
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102
Telephone: (215) 972-7777
mayer.kohn@saul.com

Attorneys for Non-Debtor Third-Party Miriam Gross

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

96 WYTHE ACQUISITION LLC,

Debtor.

Chapter 11

Case No. 21-22108 (RDD)

**NOTICE OF APPEARANCE AND
REQUEST FOR NOTICES AND SERVICE OF PAPERS**

PLEASE TAKE NOTICE that the below attorneys enter their appearance, pursuant to section 1109(b) of Chapter 11 of Title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), on behalf of Non-Debtor Third-Party Miriam Gross (“Gross”) The below attorneys request, pursuant to Bankruptcy Rules 2002, 3017, and 9007, and sections 342, 1102(a)(1), and 1109(b) of the Bankruptcy Code, that copies of all notices and pleadings given or filed in this case be given and

served upon the following persons at the addresses, facsimile numbers, or electronic mail addresses set forth below:

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Saul Ewing Arnstein & Lehr LLP
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PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules specified above but also includes, without limitation, any notice, application, complaint, demand, motion, petition, pleading, or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, delivery, electronically, telephone, telegraph, telex, or otherwise filed or made with regard to the referenced case and proceedings therein.

PLEASE TAKE FURTHER NOTICE that neither this notice of appearance nor any subsequent appearance, pleading, claim or suit is intended or shall be deemed to waive Gross's (i) right to have final orders in non-core matters entered only after *de novo* review by a higher court; (ii) right to trial by jury in any proceeding so triable; (iii) right to have the reference withdrawn in any matter subject to mandatory or discretionary withdrawal; (iv) other rights, claims, actions,

defenses, setoffs, or recoupments to which Gross is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved; or (v) be deemed a consent to jurisdiction of this Court.

PLEASE TAKE FURTHER NOTICE that the foregoing appearances and requests are not intended nor shall be deemed to waive (1) right to have final orders in non-core matters entered only after *de novo* review by a District Court Judge; (2) right to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case; (3) right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (4) other rights, claims, actions, defenses, setoffs or recoupments to which The Bank may be entitled under agreements, in law, or in equity, or otherwise, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

PLEASE TAKE FURTHER NOTICE that this Notice of Appearance is a limited appearance for purposes of notice and service only. Accordingly, this Notice of Appearance is not to be construed as a waiver of any rights, including, without limitation, the right to contest jurisdiction or service of process or to demand trial by jury of any issue.

SAUL EWING ARNSTEIN & LEHR LLP
Attorneys for Non-Debtor Third-Party Miriam Gross

By: /s/Stephen B. Ravin
Stephen B. Ravin, Esq.
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New York, NY 10020
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